

IC 20-8.1-12

Chapter 12. Reporting Requirements; School Personnel

IC 20-8.1-12-1

Application of chapter

Sec. 1. This chapter applies to the following:

- (1) A violation under IC 7.1-5-7 (concerning minors and alcoholic beverages).
- (2) A violation under IC 35-48-4 (offenses related to controlled substances).

As added by P.L.202-1989, SEC.2.

IC 20-8.1-12-2

Controlled substance violations; reports by school employees

Sec. 2. If a person other than a member of the administrative staff who is an employee of a school corporation has personally observed:

- (1) a violation described in section 1 of this chapter; or
- (2) a delinquent act that would be a violation under section 1 of this chapter if the violator was an adult;

in, on, or within one thousand (1,000) feet of the school property of the school corporation employing the person, the person shall immediately report the violation in writing to a member of the administrative staff for the school corporation employing the person.

As added by P.L.202-1989, SEC.2.

IC 20-8.1-12-3

Controlled substance violations; reports by members of administrative staffs

Sec. 3. A member of the administrative staff who, based on personal knowledge or on the report of another employee of the school corporation, believes that a person has committed a violation described in section 1 of this chapter or a delinquent act that would be a violation described in section 1 of this chapter if the violator was an adult in, on, or within one thousand (1,000) feet of the school property of the school corporation employing the member, shall immediately report:

- (1) a general description of the violation;
- (2) the name or a general description of each violator known to the member;
- (3) the date and place of the violation;
- (4) the name or a general description of each person who the member knows witnessed any part of the violation; and
- (5) a general description and the location of any property that the member knows was involved in the violation;

in writing to a law enforcement officer.

As added by P.L.202-1989, SEC.2.

IC 20-8.1-12-4

Privileged or confidential information

Sec. 4. A report is not required under sections 2 through 3 of this

chapter if:

- (1) a federal statute or regulation;
- (2) IC 20-6.1-6-15, IC 25-33-1-17, IC 34-46-3-1, or another state statute; or
- (3) a rule adopted by a state agency;

imposes a duty on the employee of the school corporation or member of the administrative staff not to disclose privileged or confidential information that otherwise would have been the basis of a report.

As added by P.L.202-1989, SEC.2. Amended by P.L.1-1998, SEC.125.

IC 20-8.1-12-5

Immunity from civil liability; presumption of good faith

Sec. 5. (a) A person, other than a person who has committed a violation under section 1 of this chapter or a delinquent act that would be a violation under section 1 of this chapter if the violator was an adult, who:

- (1) makes a report under this chapter in good faith;
- (2) participates in good faith in a judicial proceeding resulting from a report under this chapter;
- (3) employs a person described in subdivision (1) or (2); or
- (4) supervises a person described in subdivision (1) or (2);

is not liable for civil damages or penalties that might otherwise be imposed because of the conduct described in subdivisions (1) through (4).

(b) A person described in subsection (a)(1) or (a)(2) is presumed to act in good faith.

As added by P.L.202-1989, SEC.2.

IC 20-8.1-12-6

Programs to implement chapter

Sec. 6. The law enforcement agencies and the school corporations in each county shall develop and administer a program to efficiently implement this chapter.

As added by P.L.202-1989, SEC.2.